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## UNITED STATES DISTRICT COURT

## NORTHERN DISTRICT OF CALIFORNIA

## SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,

V.

RUTHIA HE, A/K/A/ RUJIA HE, and  
DAVID BRODY,

Defendants.

CASE NO. 24-CR-329 CRB

## GOVERNMENT'S MOTION TO ADMIT

STATEMENTS OF DEFENDANTS UNDER RULE  
801(D)(2)

The government respectfully moves to admit the exhibits set forth in the table below, all of which are admissible as statements of the defendants pursuant to Federal Rule of Evidence 801(d)(2). The left column sets forth the relevant exhibit numbers, as reflected in the exhibit list submitted to the Court on September 29, 2025, and the right column sets forth the corresponding category of communications. The first three rows feature exhibits in which one or both defendants make statements in their individual capacities, such that the statements are admissible pursuant to Rule 801(d)(2)(A). The following four rows feature exhibits in which agents or coconspirators at Done make statements on matters within the scope of the agency relationship and/or in furtherance of the charged conspiracies, including in conversations with one or both defendants, such that the statements are admissible as statements of the defendants themselves pursuant to Rules 801(d)(2)(D) and/or Rule 801(d)(2)(E). While the defendants have not disputed the authenticity of the exhibits under Rule 901(a), the government now files this motion because the defendants have not stipulated to admissibility despite multiple efforts by the government since the first week of trial:

<b>Exhibit Nos.</b>	<b>Description</b>
65, 76, 92, 101, 105, 107, 108, 111, 114, 115, 117, 127–133, 136, 138, 139, 140, 142, 145, 146, 150, 154, 166, 167, 170, 175, 178, 180, 184, 202, 210–212, 227, 229, 241, 243, 244, 245, 253, 265, 268, 271, 285, 287, 290, 292, 308, 310, 328, 333, 340, 346, 347, 352, 361, 371, 375, 376, 381, 386–388, 390, 398, 401, 405, 406, 408, 417, 449, 453, 463, 464, 479, 481, 485, 491, 499, 500, 503, 509, 552, 561, 568, 571, 585, 588, 595, 599, 620, 736, 807, 809, 810, 812, 939	Statements of Defendants He and Brody
2, 4, 5, 6, 8, 9, 10, 13, 14, 15, 17–23, 27–30, 32, 34, 35, 37, 41, 42, 43, 46, 48, 51, 53, 55, 57, 59, 62, 63, 64, 67, 70, 75, 81, 84, 87, 90, 110, 116, 162, 164, 172, 182, 187, 201, 203, 206, 207, 208, 220, 231, 233, 246, 261, 262, 273, 274, 278, 279, 288, 294, 295, 300, 301, 309, 311, 314, 315, 319, 322, 324, 327, 351, 360, 380, 395, 409, 422, 425, 445, 458, 460, 465, 466, 482, 483, 484, 489, 496, 497, 501, 507, 514, 515, 521, 542, 545, 555, 566, 569, 575, 577, 581, 589, 590, 615, 617, 625, 629, 630, 654, 682, 700, 710, 718, 727, 729, 731, 739, 748, 749, 751, 755, 757, 759, 762, 765, 768, 769, 786, 791, 794, 795, 796, 797, 798, 799, 803, 814, 817, 842, 849, 852, 854, 858, 864, 862, 868, 871, 872, 879, 889, 897, 898, 901, 914, 916, 918, 919, 920, 927, 929, 930, 931, 937, 938, 941, 948, 957, 959, 961	Statements of Defendant He
1, 120, 137, 191, 337, 363, 396, 397, 412, 418, 419, 421, 424, 426, 440, 446, 447, 456, 467, 473, 504, 535, 563, 565, 572, 573, 574, 616, 638, 642, 644, 653, 655, 656, 667, 670, 674, 689, 690, 691, 728, 735, 743, 754, 801, 813, 828, 831, 835, 845, 846, 848, 850, 867, 869, 892, 904, 934, 936	Statements of Defendant Brody

96, 152, 232, 234, 237, 240, 323, 415, 431, 442, 443, 513, 520, 522, 538, 600, 633, 657, 660, 668, 671, 673, 678, 684, 686, 714, 758, 816, 823, 830, 903	Communications with Defendants He and Brody
11, 25, 33, 54, 58, 66, 68, 69, 85, 149, 168, 171, 177, 181, 185, 190, 194, 213, 222, 242, 247, 269, 270, 275, 298, 344, 357, 365, 370, 392, 399, 400, 404, 429, 430, 434, 436, 437, 462, 511, 512, 559, 560, 562, 564, 624, 683, 685, 688, 704, 712, 715, 717, 733, 764, 775, 780, 782, 784, 793, 815, 821, 822, 824, 827, 829, 832, 838, 843, 856, 860, 861, 878, 883, 899, 906, 907, 911, 921, 928, 949, 962	Communications with Defendant He
124, 158, 289, 303, 379, 385, 457, 469, 474, 488, 523, 527, 528, 529, 692, 705, 706, 708, 716, 785, 834, 841, 853, 925, 932	Communications with Defendant Brody
44, 79, 97, 134, 165, 176, 179, 183, 192, 193, 197, 199, 200, 204, 225, 226, 238, 252, 258, 263, 264, 266, 277, 284, 299, 305, 307, 312, 313, 316, 317, 326, 329, 330, 331, 336, 339, 368, 383, 394, 402, 403, 407, 410, 416, 423, 427, 428, 452, 475, 476, 477, 478, 480, 492, 493, 505, 510, 516, 518, 524, 525, 530, 531, 533, 534, 536, 540, 547, 550, 558, 567, 570, 576, 579, 586, 592, 594, 595, 597, 608, 610, 612, 613, 614, 618, 622, 626, 627, 628, 632, 634, 636, 639, 649, 650, 652, 658, 663, 664, 666, 672, 676, 679, 680, 687, 697, 711, 713, 720, 734, 747, 752, 777, 779, 781, 818, 819, 833, 836, 837, 839, 840, 844, 851, 855, 859, 876, 877, 881, 882, 891, 893, 909, 926, 942, 945, 953, 954, 1413	Statements of Agents and/or Coconspirators

DATED: October 19, 2025

Respectfully submitted,

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/s/  
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